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This survey Consists of:

1 sheet(s) Map

2 page(s) Narrative

JACKSON COUNTY  
SURVEYOR

SURVEY SITUATE IN THE SW 1/4 SW 1/4 OF SECTION 16,  
T. 34 S., R. 2 W., W.M., JACKSON COUNTY, OREGON.

FOR: EDITH J. BRUMWELL

O.R. 73-12429

BOISE CASCADE

FD. 1" IRON PIPE  
WITH EXP. FITTING

EAST 587.45' (FROM WITNESS CORNER)

COINCIDENT (APPROX.) WITH  
BLAZED LINE

SET WIT. COR. 5.00'E FROM WHICH:

S & E'LY. FC. COR. BRS. N 9.4' & W 1.7'  
3/4" PIPE (BENT E'LY.) BRS. N 12.63' & W 7.10'

PROPOSED BOY.  
LINE AGREEMENT

92.39'

S 32° 26' 40" E  
185.555'

OLD ROAD & GATE

S 32° 04' 30" W  
59.51'

N 32° 04' 30" E

SCALE: 1" = 100'

LEGEND

- SET 5/8" X 24" IRON PINS
- ⊙ FD. 5/8" R/W PINS (SURVEY NO. 9884)
- X- EXISTING FENCE LINES
- ⊗ OLD FENCE LINE (POSTS DOWN)

SURVEY BY

CHARLES H. HURST  
MEDFORD, OREGON

MARCH 26, 1984

REGISTERED  
**PROFESSIONAL**  
LAND SURVEYOR

*Charles H. Hurst*

OREGON  
OCTOBER 30, 1959  
CHARLES H. HURST  
483

464.00' (DEED REC. DIST.)

NORTH

SEC. LINE NOT DETERMINED

6.442 AC. ±

D.R. (SENIOR) VOL. 172, PG. 475  
NOW O.R. 79-22442 (REDESCRIBED)

R/W PIN (WIT. COR.)  
FD. 44' DIST. FROM  
CENTERLINE

S 36° 11' 41" W 208.79'  
REC. = 209.80'

EAST EVANS CREEK  
ROAD

R = 1954.86'  
Δ = 3° 00' 02"  
L = 102.375'

828 + 50  
826 + 41.74 FT.

FD. SEC. COR.  
BLM BR. CAP MON.

17 16  
20 21

S 89° 57' 30" W

485.03'

COMPUTED R/W  
INTERSECT FROM  
SURVEY NO. 7107 DATA

- 5. That he intended to convey title to his land in whole (O.R. 77-04203), change in description notwithstanding.

Mr. Raymond Mayfield, nephew of the former owner of the parent tract, whose personal knowledge about subject land extends back to 1928, had been previously interviewed confirming the information provided by Mr. Moore in Items 1, 2 and 3 above.

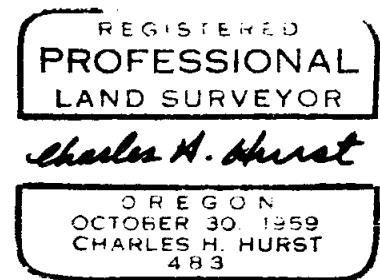
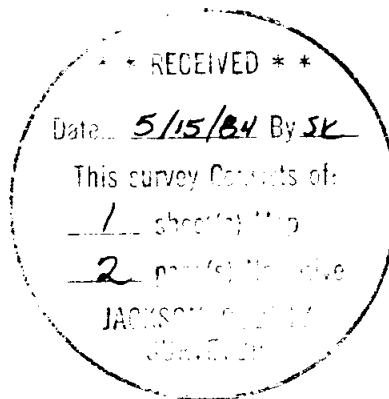
On the basis of the foregoing it was concluded that the senior deed description takes precedence over the redescription prepared by Mr. Ager in 1967 and that the currently existing fences provide no affirmation of the intent of the 1928 conveyance.

The client was initially aware that such terminology in the second course of the senior description as "thence on an Easterly direction about 512 feet to the County road" (when the actual distance is 750 feet or more to the road center) severely strains the definition of "about" and tends to compromise the description with respect to completeness and intent.

In consultation with the client it was agreed to monument a line in a cardinal direction from the northwest corner of subject tract more or less along a blazed line through or near the Elk Company closing corner to a point of intersection with the remnants of a very old fenceline and thence Southeasterly along said fenceline to the present county road right-of-way.

The client is advised that the line of blazes and the course of the ancient and almost obliterated fenceline may or may not coincide with the lines intended by the senior conveyance. Therefore, the location of said lines as surveyed and monumented should be confirmed by decree or agreement prior to acceptance and use as a common boundary.

April 25, 1984.



7 9957

SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250  
OREGON REVISED STATUTES

Survey for:

Edith J. Brumwell  
20001 E. Evans Creek Road  
White City, Oregon 97503

Survey by:

Charles H. Hurst  
765 Sunrise Avenue  
Medford, Oregon 97504

Bearings: Based on Survey No. 9884 confirmed by solar observation on March 19, 1984.

Purpose : To monument a proposed agreement line to end a boundary dispute.

Procedure

The survey as shown on the attached plat was commissioned in an attempt to settle an uncertain title line location.

Examination of the sequence of separation from the parent tract establishes that land described in Jackson County Deed Record Volume 172 at page 475 was first in precedence of conveyance (1928) and that said deed is senior to those describing land subsequently separated from the parent tract.

The senior deed description remained unchanged in the chain of title until 1967 when, for unknown reasons, subject land was redescribed on the basis of an unrecorded survey by Ashland Surveyor L. E. Ager (since deceased). The Charles Moore file pertaining to said survey is presently in the private library of Medford surveyor George Burrell. This file contains a revised description dated January 7, 1967, for a "Portion of the Charles Moore property" and a map related thereto dated March 15, 1967. No field notes were found. Mr. Moore conveyed his title by Jackson County Official Record Instrument No. 77-04203 recorded March 3, 1977. Since 1977, title has been passed based on the description prepared by Mr. Ager.

F. E. Semon, circa 1922, more or less surveyed subject property for the "Cinnabar Cyndicate". Title was transferred to Quicksilver Producers Company in 1928 via the senior deed on the basis of a description which could not be reconciled with either the undated description on page 130 of the Record of Official Surveys in the office of the Jackson County Surveyor or the field notes pertaining to said survey contained in Level Book No. 373 at page 46 presently in the private library of Medford surveyor M. E. Boyden.

About 1963 field personnel in the employ of Elk Lumber Company, together with the former husband of the present owner of land described in O.R. 73-12429, set a pipe, as shown on the attached plat, on a line as surveyed and established between the parties involved presumably intended to be a closing corner at point on or near the north line of the land described in the senior deed adjoining to the South.

A telephone conversation March 27, 1984, with Mr. Charles Moore, former owner of subject property, provided the following information:

1. Mr. Moore recalled no existing fences at the time he first acquired the property except a short length with a gate crossing an old roadbed (see attached plat) which was "known to be wrong" with respect to any definite title line location.
2. That he personally constructed some of the presently existing fences on a convenient and random "tree to tree" basis.
3. That the true lines of subject property were never defined but that some surveyors including L. E. Ager had attempted to survey the property on a "wood stake" basis for the determination of timber cutting boundaries.
4. Mr. Moore did not recall the circumstances under which the original land description was changed since Mr. Ager was working for some loggers and not for him.